

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

RODRIGO ABAD GERVACIO, )  
vs. )  
Plaintiff, ) 1:10-cv-0618-WTL-JMS  
)  
SIX UNKNOWN NAMES AGENTS, et al., )  
Defendants. )

**Entry Directing Further Proceedings**

**I.**

The plaintiff shall have **through June 16, 2010**, in which to either pay the \$350.00 filing fee for this action or demonstrate that he lacks the financial ability to do so. If he seeks leave to proceed *in forma pauperis*, his request must be accompanied by a copy of the transactions associated with his institution trust account for the 6-month period preceding the filing of this action on May 17, 2010.

**II.**

**A.**

The complaint is **dismissed as unintelligible**. *Davis v. Ruby Foods, Inc.*, 269 F.3d 818, 820 (7th Cir. 2001) ("dismissal of a complaint on the ground that it is unintelligible is unexceptionable").

No final judgment shall issue at this time.

**B.**

The plaintiff shall have **through June 16, 2010**, in which to file an amended complaint. In preparing an amended complaint, the plaintiff shall conform to the following guidelines:

- a. The amended complaint shall comply with the requirement of Rule 8(a)(2) of the *Federal Rules of Civil Procedure* that pleadings contain "a short and plain statement of the claim showing that the pleader is entitled to relief. . . ."

- b. The amended complaint shall comply with the requirement of Rule 10 that the allegations in a complaint be made in numbered paragraphs, each of which should recite, as far as practicable, only a single set of circumstances.
- c. The amended complaint must identify what legal injury he claims to have suffered and what persons are responsible for each such legal injury.
- d. The amended complaint shall contain a clear statement of the relief which is sought.

If an amended complaint is filed, it will be evaluated as required by 28 U.S.C. § 1915A(b). If an amended complaint is not filed as directed in Part II.B. of this Entry, the action will be dismissed pursuant to Part II.A. of this Entry.

**IT IS SO ORDERED.**

Date: 05/20/2010

Distribution:

Rodrigo Abad Gervacio  
#07439-028  
Big Spring  
Airpark Unit Correctional Center  
3700 Wright Ave.  
Big Spring, TX 79720

William T. Lawrence

Hon. William T. Lawrence, Judge  
United States District Court  
Southern District of Indiana